

1645  
#6/11/03  
01.15.03



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re application : Pekka Hayry, et al.  
Serial No. : 09/719,658  
Filed : June 25, 2001  
For : VASCULOPROTECTOR  
Examiner :  
Attorney Docket : 102180-101  
Group Art Unit : 1645  
Confirmation No. : 3601

RECEIVED

OCT 11 2002

TECH CENTER 1600/2900

\*\*\*\*\*

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, United States Patent and Trademark Office, Washington, D.C. 20231 on 3 OCT 2001.

By Todd E. Garabedian  
Todd E. Garabedian, Ph.D.  
Registration No. 39,197  
Attorney for Applicant(s)

\*\*\*\*\*

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
United States Patent and Trademark Office  
Washington, DC 20231

Dear Sir:

Pursuant to 37 C.F.R. §1.56, the Examiner is respectfully requested to consider the references cited on attached Form PTO-1449. A copy of each reference (if not previously submitted) is enclosed. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

- [X] 1. This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No certification or fee is required.

- ☐ 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.
- ☐ a. Each item of information contained on Form PTO-1449 filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(1); and no fee is required under 37 C.F.R. §1.17(p).
- ☐ b. No item of information cited on Form PTO-1449 filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(2); and no fee is required under 37 C.F.R. §1.17(p).
- ☐ Please charge Deposit Account No. 23-1665 in the amount of \$240.00 in payment of the fee under 37 C.F.R. §1.17(p). Two additional copies of this Information Disclosure Statement are enclosed.
- ☐ A check in the amount of \$240.00 is attached hereto in payment of the fee under 37 C.F.R. §1.17(p).
- ☐ 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. It is hereby requested that the Information Disclosure Statement be considered.
- ☐ a. Each item of information contained on Form PTO-1449 filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(1).

- ☐ b. No item of information cited on Form PTO-1449 filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. §1.97(e)(2).
- ☐ Please charge Deposit Account No. 23-1665 in the amount of \$130.00 in payment of the fee under 37 C.F.R. §1.17(i)(1). Two additional copies of this Information Disclosure Statement are enclosed.
- ☐ A check in the amount of \$130.00 is attached hereto in payment of the fee under 37 C.F.R. §1.17(i)(1).

The undersigned represents that the closest art of which he is presently aware has been cited herein and understands that this statement shall not be construed as a representation that no better art exists or that a thorough patentability search has been made.

The undersigned further represents that the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

Respectfully submitted,

PEKKA HAYRY, ET AL.

Date: 3 OCT 2002

By:

Todd E. Garabedian, Ph.D.

Registration No. 39,197

Attorney for Applicants

WIGGIN & DANA LLP  
One Century Tower  
New Haven, CT 06508-1832

Telephone : (203) 498-4400

Telecopier: (203) 782-2889



RECEIVED

OCT 11 2002

TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application : Pekka Hayry, et al.  
Serial No. : 09/719,658  
Filed : June 25, 2001  
For : VASCULOPROTECTOR  
Examiner :  
Attorney Docket : 102180-101  
Group Art Unit : 1645  
Confirmation No. : 3601

\*\*\*\*\*

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, United States Patent and Trademark Office, Washington, D.C. 20231 on 30 OCT 2002.

By Todd E. Garabedian  
Todd E. Garabedian, Ph.D.  
Registration No. 39,197  
Attorney for Applicant(s)

\*\*\*\*\*

INFORMATION DISCLOSURE LETTER

Commissioner for Patents  
U. S. Patent and Trademark Office  
Washington, D.C. 20231

Sir:

The undersigned represents that the closest art of which he is presently aware has been cited herein and understands that this statement shall not be construed as a representation that no better art exists or that a thorough patentability search has been made.

The undersigned further represents that the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

1. International Patent No. WO 93/23090 A (SHERWOOD MEDICAL COMPANY) 25 November 1993 (1993-11-25).
2. International Patent No. WO 97/09348 A (KARABIO AB; KUIPER GEORGE G J M (SE); ENMARK EVA (SE); GUSTAFSSON) 13 March 1997 (1997-03-13).
3. International Patent No. WO 98/08503 A (NOVOGEN RES PTY LTD) 5 March 1998 (1998-03-05).
4. United States Patent No. 5 919 813 A (DE JUAN JR EUGENE) 6 July 1999 (1999-07-06).
5. Japanese Patent No. 10 101561 A (SHIKOKU NOGYO SHIKENJO) 21 April 1998 (1998-04-21).
6. Japanese Patent No. 09 056807 A (KANEBUCHI KAGAKU KOGYO KK) 4 March 1997 (1997-03-04).
7. Japanese Patent No. 11 139974 A (KUREHA CHEM IND CO LTD) 25 May 1999 (1999-05-25).
8. LINDNER, VOLKHARD ET AL: CIRC. RES., 83(2), pages 224-229 (1983).
9. WILLIAMS, J K ET AL: JOURNAL OF STEROID BIOCHEMISTRY AND MOLECULAR BIOLOGY, 65/1-6, pages 219-224 (1998).
10. TAKAMURA, HIROYUKI: KANAZAWA DAIGAKU JUZEN IGAKKAIZASSHI, 104(6), pages 719-731 (1995).
11. BECKELER, KLAUS ET AL: EUROPEAN JOURNAL OF CELL BIOLOGY, vol. 69, No. Suppl. 42, page 126 (1996).
12. TROVATI, M ET AL: DIABETOLOGIA, 38/8, pages 936-941 (1995).
13. KUIPER ET AL: ENDOCRINOLOGY, vol. 138, no. 3, pages 863-870 (1997).
14. KAPIOTIS, S ET AL: ARTERIOSCLEROSIS, THROMBOSIS, AND VASCULAR BIOLOGY, 17/11, pages 2868-74 (1997 Nov).
15. BALARAM, S K ET AL: JOURNAL OF VASCULAR SURGERY, 25/5, pages 866-876 (1997).

16. HONORE, E K ET AL: FERTILITY AND STERILITY, 67 (1), pages 148-54 (1997 Jan).
17. CLARKSON, T B ET AL: PROGRESS IN CARDIOVASCULAR DISEASES, 38/3, pages 189-198 (1995).
18. ANTHONY, M S ET AL: JOURNAL OF NUTRITION, vol. 126, no. 1, pages 43-50.
19. ST CLAIR, R W: CURRENT OPINION IN LIPIDOLOGY, 9/5, pages 457-463 (1998).

Applicants submit that copies of the above-cited references were transmitted to the United States Patent and Trademark Office by The International Bureau.

If the Examiner has any questions or feels that a discussion with Applicants' representative would expedite prosecution, the Examiner is invited and encouraged to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,

PEKKA HAYRY, ET AL.

Date: 3 OCT 2002

By: Todd E. Garabedian  
Todd E. Garabedian, Ph.D.  
Registration No. 39,197  
Attorney for Applicant(s)

WIGGIN & DANA LLP  
One Century Tower  
New Haven, CT 06508  
Telephone: (203) 498-4400  
Fax: (203) 782-2889

\\10706\42\364587.1

INFORMATION DISCLOSURE STATEMENT BY APPLICANT		ATTY. DOCKET NO. 102180-101		SERIAL NO. 09/719,658		
		APPLICANT: PEKKA HAYRY, ET AL.				
		FILING DATE: July 6, 1998		GROUP: 1645		
U.S. PATENT DOCUMENTS						
EXAMINER INITIAL*	DOCUMENT NUMBER	DATE	NAME	CLASS	FILING DATE IF APPROP.	
	5,919,813 A	07/06/99	De Juan Jr. Eugene			
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION Yes No
	WO 93/23090 A	11/25/93				
	WO 97/09348 A	03/13/97				
	WO 98/08503 A	03/05/98				
	JP 10 101561 A	04/21/98				
	JP 09 056807 A	03/04/97				
	JP 11 139974 A	05/25/99				
OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)						
	LINDNER, VOLKHARD ET AL: CIRC. RES., 83(2), pages 224-229 (1983).					
	WILLIAMS, J K ET AL: JOURNAL OF STEROID BIOCHEMISTRY AND MOLECULAR BIOLOGY, 65/1-6, pages 219-224 (1998).					
	TAKAMURA, HIROYUKI: KANAZAWA DAIGAKU JUZEN IGAKKAIZASSHI, 104(6), pages 719-731 (1995).					
	BECKELER, KLAUS ET AL: EUROPEAN JOURNAL OF CELL BIOLOGY, vol. 69, No. Suppl. 42, page 126 (1996).					
	TROVATI, M ET AL: DIABETOLOGIA, 38/8, pages 936-941 (1995).					
	KUIPER ET AL: ENDOCRINOLOGY, vol. 138, no. 3, pages 863-870 (1997).					
	KAPIOTIS, S ET AL: ARTERIOSCLEROSIS, THROMBOSIS, AND VASCULAR BIOLOGY, 17/11, pages 2868-74 (1997 Nov).					
	BALARAM, S K ET AL: JOURNAL OF VASCULAR SURGERY, 25/5, pages 866-876 (1997).					
	HONORE, E K ET AL: FERTILITY AND STERILITY, 67 (1), pages 148-54 (1997 Jan).					
	CLARKSON, T B ET AL: PROGRESS IN CARDIOVASCULAR DISEASES, 38/3, pages 189-198 (1995).					
	ANTHONY, M S ET AL: JOURNAL OF NUTRITION, vol. 126, no. 1, pages 43-50.					
	ST CLAIR, R W: CURRENT OPINION IN LIPIDOLOGY, 9/5, pages 457-463 (1998).					
EXAMINER:				DATE CONSIDERED:		
*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \10706\42\364645.1						